

Appl. No. 10/815,484
Amdt. Dated 08/28/2006
Reply to Office Action of May 26, 2006

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figures 1-2. These sheets, which include Figures 1-2, replace the original sheet including Figures 1-2. In Figure 1, reference labels 100, 115 and 118 have been added. In Figure 2, reference labels 300, 310 and 320 have been added.

Attachment: Replacement Sheet

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REMARKS

This Amendment is in response to the Office Action mailed May 26, 2006. In the Office Action, claims 1-23 were rejected under 35 U.S.C. §103. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Specification

In the specification, the paragraphs set forth on pages 14 and 16 have been amended to correct minor editorial problems. These amendments do not add any substantive new matter to the subject application. Acknowledgement and acceptance of these amendments is respectfully solicited.

In addition, the drawings were objected based on the absence of certain reference labels described in the description but have not been fully identified in the drawings. As a result, Applicant has amended Figures 1 and 2 to include the absent reference labels. Applicant respectfully requests the Examiner to enter these amendments, which do not constitute improper addition of substantive new matter.

Based on the foregoing, Applicant respectfully requests that the Examiner withdraw the objection to the specification.

Rejection Under 35 U.S.C. § 103

1) Claims 1, 2, 11-13, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ansari (U.S. Publication No. 2004/0221302) in view of Kisliakov (U.S. Patent Application No. 2003/0212895). Applicant respectfully traverses the rejection because a *prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. *See MPEP §2143; see also In Re Fine, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988)*. Herein, the combined teachings of the cited references fail to describe or suggest all the claim limitations.

With respect to independent claim 1 for example, Applicant respectfully submit that neither Ansari nor Kisliakov, alone or in combination, describe or suggest *disabling a connection between the first CA logic block and the core logic when descrambling of the incoming scrambled content is to be conducted according to the second CA function*. Emphasis added. Rather, Ansari describes programmable conditional access systems (PCAs) which provide a common hardware platform for conditional access of premium television services from direct broadcast satellite and/or cable service providers. However, Ansari does not provide any

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mechanism for disabling the connection between the core logic and CA logic blocks that are not going to be used.

Similarly, with respect to independent claim 11, Applicant respectfully submits that neither Ansari nor Kisliakov, alone or in combination, describes or suggests enabling *only* the first conditional access logic block of the plurality of conditional access logic blocks [that is coupled to the core logic] when the incoming scrambled content is scrambled according to the first CA function. Emphasis added. Instead, it appears that PCAs teach the support of two versions of conditional access (CA) and digital rights management (DRM) in order to receive premium channels from multiple service providers, and not directed to providing a common architecture and subsequently modifying this architecture to perform a particular CA function.

Claim 20 has been amended to include the limitations of claim 21. Therefore, the outstanding rejection of claim 20 should be withdrawn.

As a result, withdrawal of the §103 rejection as applied to claims 1-2 and 11-13 and 20 is respectfully requested.

2) Claims 3-10, 14-15, and 21-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ansari in view of Kisliakov in further view of Kocher (U.S. Patent No. 6,289,455). Applicant respectfully traverses a programmable logic device including a plurality of programmable gates programmed to operate in accordance with a conditional access (CA) function associated with a first CA provider to descramble the incoming scrambled content, the programmable gates of the programmable logic device are one-time programmable and battery-backed so that disruption of power will cause the programmable logic device to become inoperative this rejection in its entirety and contend that a *prima facie* case of obviousness has not been established, but further discussion of the grounds for traverse is not warranted based on its dependency on claim 3-10, 14-15 and 21-23 on dependent claims 1, 11 and 20, which are considered to be in condition for allowance.

Moreover, these claims are allowable based on their claimed subject matter. For instance, claim 21 (now incorporated into claim 20) includes a programmable logic device including a plurality of programmable gates programmed to operate in accordance with a conditional access (CA) function associated with a first CA provider to descramble the incoming scrambled content. *The programmable gates of the programmable logic device are one-time programmable and battery-backed so that disruption of power will cause the programmable logic device to become inoperative.* In contrast, any alleged programmability of the PCAs is not one-time programmable as evidenced by the presence of Flash and RAM.

Applicant respectfully requests that the outstanding §103(a) rejection be withdrawn and reserves the right to submit such arguments in the event that an Appeal is necessary.

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Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 28, 2006

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Attachments

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Susan McFarlane

08/28/2006

Date